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PAPERS OF THE AMERICAN SCHOOL OF CLASSICAL
STUDIES AT ATHENS.
DISCOVERIES AT PLATAIA IN 1889.

I. A NEW FRAGMENT OF THE PREAMBLE TO DIOCLETIAN'S EDICT, "DE PRETIIS RERUM VENALIVM."

The preamble to Diocletian's Edict *De Pretiis Rerum Venalium* has been known hitherto from two copies, one (A) found in Egypt and brought in 1807 to Aix in Provence, where it is now preserved in the museum, the other (S) still *in situ*, inscribed on the wall of a Roman edifice in Stratonike in Karia. The latest and best editions of these two inscriptions are given by Waddington in Le Bas, *Voyage Archéologique*, vol. III, pp. 145 ff., and by Mommsen in the *Corpus Inscriptionum Latinarum*, vol. III², pp. 801 ff.

In the course of the excavations carried on at Plataia in April 1889, by the American School of Classical Studies at Athens, under the direction of Dr. Waldstein, there was found, in the most western of the ruined Byzantine churches situated within the walls of the northern half of the city, a marble stele, bearing an inscription which proved to be a fragment of this preamble. The stone formed part of the pavement of the church, the inscribed face being uppermost, and the upper end, including part of the inscription, being imbedded in the wall. The back is rough. There are traces of an original moulding on the sides and front, but this has been hacked away, with the result of totally obliterating the first line of the inscription. On the right-hand side about half of the letters have been worn away, as if by the tread of feet. As this is true of the part imbedded in the wall, the stone must have been used, but in a different position, in the pavement of an earlier building. When found, it was broken irregularly across the middle. It has since been conveyed to Athens, and is now in the National Museum. In the course of transportation two small

pieces were chipped off and lost, one containing the last twelve letters of line 34, as given in our text below, the last eleven of 35, and the last three of 36; the other containing the first letter of 49, the first two of 50, the first two of 51, and the first three of 52. Mr. Rolfe's copy and squeeze were made at Plataia; Mr. Tarbell's, at Athens.

Length of stele, 1.35 met.; width at bottom, 0.835 m., at top, 0.80 m.; thickness, 0.18 m.; height of letters, 0.006–0.013 m.

Specimen letters; rare forms in ():

λ(λ), b̄, c, δ d(Δλ), ε, ϛ, Ϛ, h, l(ℓ^{twice}), ℓ, m, nn, o, p, q, r, ϣ, τ, υ[^νafter ϣ], x

With the help of the two copies of this text previously known (*A* and *S*), the original contents of our stone can be restored. Letters between parentheses, (), are those which appear on this stone, but not on *A* or *S*; those in italics and not between brackets, [], are either lacking in our text and supplied from *A* or *S*, or substituted from *A* or *S* for the reading of our text; letters between brackets, [], are conjectural restorations, *i. e.*, do not appear on any of the three stones. In the latter no great confidence can be felt; in no case where a gap in *A* and *S* has been filled by the Plataian copy has the conjecture of a previous editor been exactly verified. In numbering the lines, the original first line has been counted. The sign § is used to indicate uncut spaces. Three of these (those in lines 12, 28, 44) are in the legible portions of the inscription, and all correspond with similar vacant spaces in *A*. We have therefore assumed that, if our inscription were complete, the correspondence would hold throughout, and have inserted, on the testimony of *A*, the sign § in lines 18 and 24. We have inserted it also at the beginning of lines 40 and 52, where *A* fails us, because the number of letters in the preceding lines is insufficient to fill the space. It will be seen that we thus get a § at the beginning of every sentence, except in line 6, where there is no evidence for one (though one is not impossible, the size and distribution of letters being irregular), and in line 35. Nothing was inscribed below line 55, and the remainder of the preamble must therefore have been on a second stele.

FRAGMENT OF THE PREAMBLE TO DIOCLETIAN'S EDICT, "DE PRETIIS RERUM VENALIAM,"
DISCOVERED AT PLATAIA IN 1889.

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 MUSGRATULARILICETTRANQUILLORBISTATU
 PTERQUAMSUDORELARGOLABORATUMEST
 ETROMANADIGNITASMAIESTASQUEDEDERATUTNUS
 5. PRAETE RAPINASGENTRUMBARBA IP PL CIAD
 SUNDATA IETEMDIBITUMIUSTICIAEMUNIME SAEPIAMUS
 BIFINAEPR SITOARDATAAUARITIADESAEUIENSQUISINE ECTOGENI
 UELMENSIBUSAUTDIEBUSSEDAENHORISIPSISQUEMOM SA
 TINATALIQUAEONTINENTIAERATIOFRENARETUELSIFORTUN
 10. BACCANIDILIGENTIAMQUAPESSIMEINDEIESEIUSMODISURTAETAIAC
 DERELICTUSLOCUSUIDERTURCUMDETESTANIAM
 MUNISANIMORUMPATIENTIATEMPERARET SEDQUI
 NECESSITUDINISAHBEREDILECTUMETGLICENTISABAR
 RELIGICAPUDINPROBUSETINMODESTUSEXISTIMATUP
 15. AMUOLUNTATEDESTITUIADQUAEULTRAQUONIUERENO
 EXTRAEMATRAXERUNTUNCUNENITPROSPICIENTIBUSN
 TERUENIREIUSTITIAMUTQUODSPERATUMDIUHUH/
 PERAMENTUMREMEDIISPROMISIÖNISNUSTRAETCUNF
 OMNIUMCONSCIENTIAMRECOGNOSCITETIPSARUMR
 20. CEPECONSILIAMOLIMURAUTREMEDIAINUENTACOHIB
 ISSIMISDEPRAEHENSADILICTISIPSASEEMENDARE
 AREDIRECTIONISNOTASACUMMUNIBUSIUDICII
 EINPEIORAPRAECIPITESETINPUALICUMNEFASQUA
 GULESETHUNIERSISREOSATROCISSIMAEINHUMANI
 25. AMDIORERUMNECESSITATEDESIDERATAPRORUMPI
 BOAUTSUPERILLOUMEDILLAENUSTRAEINTERUEN
 TURQUITANNORUMRETICENTIAMNUSTRAMI

- LUERUNT QUISENI MADEO OATUM SIPECTOR
POSSIT IN MONSEN SERITINUENALIBUSRE
30. CONUERSATIONEMTRACTANTURINTANTUMSE'
RAPIENDINE RERUMCOPIANECANNORMUERTATIB
OFFICIAEXERCITUS HABENT DUBIUMNON SITSE
SASCENPESTATISQUAECAPIARENEQUEINIQUITATISUA
SUPERISINDRIBUSARUAFELICIAUTQUIDEITRIMENTL
35. DANTIAMREBUSPROUENIREETQUIBUSSENPERSTUDIUM
PUALICAEFELICITATISFLUENTIAMSTRINGERERUR
EINSTITUTORUMOFFICISNON DINARIQUISINGULIMA
TIMEXPLERE POTUISSENT CONSENTENTURPECUL
RUMADARITIAEMODUMSCATIIPROBINCIALESNUSTRI
40. SEDIAMETIAMIPSA SCAOSASQUARUNE ESSITASTAMDE
. \REDEBEMUSOTQUAMBISDRSI OACOTOORBAE
FACTO POTIUS DROTOELARI IUSTIORTAMENINTEPL
TISSIMI HOMINESMENTIORNSUARUMINDOMITASCUPII
TURACNÓSDEBE QUI SERGONESCIATUTILITAI
45. EXERCITUSNOSTROSIDIRIGICOMMUNISOMNIUMSA
MNIITINEREANIMOSECTIONIS OCCURRERE PRAETIAUI
TAE XTORQUE REUTNOMINAESTIMONISE TFACTIEX
INTERDAMDISTRACTIONEHUNIUSREIDONATIBUMILIT
TINENDOSEXERCITUSCOLLATIONE DETESDANDIS
50. SSEMILITIAESUA ETEMCRITUSLAUORES MILITESNOSTRI SE
IDE PRAEDATORES IPSIUS REIPUBLICAE TANTUMINDIES RAPIAN TQUANTUM HABER
HISOMNIBUSQUAE SUPRACONPREHENSASUNTIUSTIACMERITOPERMOTICUMIAMIPSAHU
DERETURNONPRETIAUENALIORUMERUMNEQUEENIMFIERIDIUSTUMPUTATORCUMPLU
BINCIAEFELICITATAEOPTATAEUILITATISELUTQUODAM AFLUENTIAEPR
55. MODUMSTATUENDUMESSE CENSUAMUSUTCUMUISALIQUA CARITATISEMERGERE,

- luerunt. § Quis enim adeo obtumsi pectoris et a sensu humanitatis extorris est, qui ignorare possit, imo non senserit in venalibus rebus, quae vel in mercionum aguntur vel diurna urbium conversatione tractantur, in tantum se licentiam diffusisse pretiorum, ut offrenata livido rapien(di nec re)rum copia nec annorum uvertatibus mitigaretur ? ut plane eiusmodi homines, quos haec officia exercitos habent, dubium non sit semper pendere animis, etiam de siderum motibus auras ipsas tenpestatesquae captare, neque iniquitati sua perpeti posse ad spem frugum futurarum inundari super(is in)ri)bus arva felicia ; ut qui detrimentum sui existiment eadē ipsius temperamenti abundantiam rebus provenire. Et quibus semper studium est in questum trahere etiam beneficia divina, ac publicae felicitatis affluentiam stringere rursusque anni sterilitate de seminum] iactibus, adque institorum officis nundinari ; qui singuli maximis divitiis diffuentes, quae etiam populos adfatiim expleri potuissent, consententur peculia et laceratrices centensimas persequantur ; eorum abartitiae modum statui, probinciales nostri, communis humanitatis ratio persuadet.
40. § Sed iam etiam ipsas causas, quarum necessitas tandem pro[icere nimis] diu prolata[m] patientiam compulsi, explicare debemus, ut—quambis difficile sit toto orbae avaritiam saevientem speciali argumento vel facto potius revelari—iustior tamen intellegatur remedium constitutio, cum intemperatissimi homines mentium suarum indomi(tas cupi)[dines desig]natione quadam et notis cogentur agnoscere. § Quis ergo nesciat utilitatibus publicis insidiatricem audaciam, quacumque exercitus nostros dirigi communis omnium salus postulat, non per vicos modo aut oppida, sed in omni itinere animo sectionis occurrere, praetia venalium rerum non quadruplo aut octuplo, sed i]—(ta extorq)uere ut (nomina estim)[ati]onis et facti explicare humanae linguae ratio non possit ? denique interdum distractione huius rei donatibo militem stendioque privati ? et omnem totius orbis ad sustinendos exercitus collationem detestandis quæstibus diripientium cedere ? ut [universam me]—(ssem m)ilitiae suae et emeritos favores milites nostri sectorius omnium conferre videantur, quo deprædato(res) ipsius reipublicae tantum in dies rapiant, quantum habere s[unt] quant.
50. § His omnibus, quae supra comprehensa sunt, iuste ac merito permoti, cum iam ipsa humanitas deprecari videretur, non pretia venalium rerum—neque enim fieri id iustum putatur, cum (p)lurimae interdum probinciae felicitatae optatae villitatis et velut quodam affluentia privilegio glorientur—sed modum statuendum esse censuimus ; ut, cum vis aliqua caritatis emerget—quod dii omen averterent !—

TRANSLATION.*

The national honor and the dignity and majesty of Rome demand that the fortune of our State—to which, next to the immortal gods, we may, in memory of the wars which we have successfully waged, return thanks for the tranquil and profoundly quiet condition of the world—be also faithfully administered and duly endowed with the blessings of that peace for which we have laboriously striven ; to the end that we, who under the gracious favor of the gods have repressed the furious depredations, in the past, of barbarous tribes by the destruction of those nations themselves, may hedge about this peace, established forever, with the defences which justice demands. For, if those practices by which raging avarice, that knows no bounds, is inflamed, an avarice which, without regard for the human race, not yearly or monthly or daily only, but almost hourly and even momentarily, hastens towards its own development and increase, were checked by any spirit of self-restraint ; or if the common weal could with patience endure this reckless madness, by which, under its unhappy star, it is from day to day outrageously wounded ; peradventure there would seem to be room left for shutting our eyes and holding our peace, since the common patience of men's minds would ameliorate this detestable enormity and pitiable condition.

But, since it is the sole desire of untamed fury to feel no love for the ties of our common humanity ; and since among the wicked and lawless it is held to be a religious duty, as it were, of avarice which grows and swells with fierce heats, in harrying the fortunes of all, to desist of necessity rather than voluntarily ; and since they whom extreme poverty has driven to a sense of their most wretched condition cannot longer keep their eyes shut ; it suits us, who are the watchful parents of the whole human race, that justice step in as an arbiter in the case, in order that the long hoped for result, which humanity could not achieve by itself, may be conferred on the common disposition of all by the remedies which our forethought suggests.

And of this matter, it is true, as the common knowledge of all recognizes and indisputable facts themselves proclaim, the considera-

* The style of this preamble is in the last degree verbose and obscure ; *à peine intelligible dans certains passages*, as Waddington says. There are some clauses which we do not pretend to understand. We have had the benefit, in our translation, of several suggestions from Professor J. B. Greenough, who is, however, in no way responsible for our work.

tion is almost too late, since we form plans or delay discovered remedies in the hope that, as was to be expected from natural justice, humanity, detected in most odious crimes, might work out its own reformation; for we thought it far better that the censure of intolerable robbery should be removed from the court of public opinion by the feeling and decision of those men themselves, who rush daily from bad to worse, and in a sort of blindness of mind tend towards crimes against society, and whom, enemies alike to individuals and to the community, guilty of most atrocious inhumanity, their gross criminality had exposed to punishment.

Therefore we proceed promptly to apply the remedies long demanded by the necessity of the case, and that too, feeling no concern about complaints, lest our corrective interference, as coming unseasonably or unnecessarily, may be considered cheaper or less valuable even in the eyes of the wicked, who, seeing in our silence of so many years a lesson in self-restraint, nevertheless refused to follow it.

For who has so dull a breast, or is so alien to the feeling of humanity, that he can be ignorant, say rather that he has not seen with his own eyes, that in commodities which are bought and sold in markets or handled in the daily trade of cities, extravagance in prices has gone so far that the unbridled lust of plunder could be moderated neither by abundant supplies nor fruitful seasons? so that there is clearly no doubt that men of this sort, whom these occupations have engaged, are always mentally calculating and even anticipating from the motions of the stars the very winds and seasons, and by reason of their wickedness cannot bear that the fruitful fields be watered by the rains of heaven, so as to give hope of future crops, since they consider it a personal loss for abundance to come to the world by the favorable moods of the sky itself. And to the avarice of those who are always eager to turn to their own profit even the blessings of God, and to check the tide of general prosperity, and again in an unproductive year to haggle about the sowing of the seed and the business of retail dealers; who, individually possessed of immense fortunes which might have enriched whole peoples to their heart's content, seek private gain and are bent upon ruinous percentages;—to their avarice, regard for common humanity persuades us, people of our provinces, to set a limit.

But now, further, we must set forth the reasons themselves, whose urgency has at last compelled us to discard our too long protracted patience, in order that—although an avarice which runs riot through

the whole world can with difficulty be laid bare by a specific proof, or rather fact—nevertheless, the nature of our remedy may be known to be more just, when most lawless men are compelled to recognize, under a certain name and description, the unbridled desires of their minds.

Who therefore can be ignorant that an audacity that plots against the good of society presents itself with a spirit of speculation, wherever the general welfare requires our armies to be directed, not only in villages and towns, but on every march? that it forces up the prices of commodities not four-fold or eight-fold, but to such a degree that human language cannot find words to express the valuation and the transaction? finally, that sometimes by the outlay upon a single thing the soldiery are robbed of their largesses and the pay which they receive? and that the entire contributions of the whole world for maintaining armies accrue to the detestable gains of plunderers, so that our soldiers seem to yield the entire fruit of their military career, and the labors of their entire term of service to these universal speculators, in order that the plunderers of the commonwealth may from day to day seize all that they resolve to have?

Being justly and duly moved by all these considerations above included, since already humanity itself seemed to pray for release, we resolved, not that the prices of commodities should be fixed—for it is not thought just that this be done, since sometimes very many provinces exult in the good fortune of the low prices they desire, and as it were in a sort of privileged state of abundance—but that a maximum should be fixed; in order that, when any stress of high prices made its appearance—which omen we prayed the gods might avert—[avarice might be checked, *etc.*]

COMMENT.

6. The substitution of *debitis* for the *DIBITUM* of the stone is violent, but seems almost certain. The *S* before *saeptimus* in *S* is given by both Waddington and Mommsen. According to Bankes's facsimile of *S*, for whose accuracy Waddington vouches, the neighboring lines of that text have, in the space corresponding to that between *qui-* and *saeptimus*, from 23 to 28 letters; in *-etern debitis iustitiae munimentis* there are 30 letters.

14. *existimatur*: *S* has ---*matur*. *A* has, according to Waddington, --*stimatur*; according to Mommsen, ---*estimatur*.

17-18. *intervenire*: wanting in *S*. *A* has, according to Waddington, *INTC*---; according to Mommsen, *INTO*---

34. *inbribus arva*: wanting in *S*. *A* has been read by all editors ---*ros arva*. *ROS* is, on that stone, an easy blunder of the lapidary for *BUS*. Or possibly the letters have been misread.

37. *institorum*: substituted from *S* for the nonsensical *INSTITUTORUM* of the stone.

37-38. *adfati*m: *S* has *ad---*. *A* has *adfaciam*. Mommsen restored *adfati*m in *CIL*, III².

47. *extorquere*: *S* has, according to Waddington, ---*uere*; according to Mommsen, ---*atuere*. Wanting in *A*.

estimationis: wanting in *S*. *A* has, according to Waddington, ---*ionis*; according to Mommsen, ---*monis*.

49-50. *messem*: suggested by Professor J. E. B. Mayor. We had thought of *assem*, which is not so good.

52. *cum*: *S* has *ut cum*. The *ut* is not wanted.

The orthography of the foregoing inscription differs considerably from the classical standard, and it should be noted that the three copies of this preamble now known present numerous variations in the spelling of individual words. Following is a list of the non-classical spellings in the legible portions of our stone, the frequency of which in the inscriptions of this period justifies their retention in our minuscule text:

e for *ae*: *estimationis* (47). *ae* for *ē*: *extraema* (16). *ae* for *ē*: *finae* (7), *sortae* (10), *adquae* (15), *depraehensa* (21), *quae* (33), *orbae* (41), *praetia* (46), *felicitatae* (54).

h wrongly added: *huniversis* (24), *huni*us (48). *h* omitted: *debacandi* (10).

b for *v*: *abarityae* (13), *intempestibo* (26), *abarityae*, *provinciales* (39), *quambis* (41), *donatibo* (48), *provinciae* (54). *v* for *b*: *lavores* (50). We have ventured to write *uvertatibus* (31) and *sectorivus* (50), thinking that the omission of a letter adjacent to *u* was thus most easily explained.

qu for *c*: *quonivere* (15).

np for *mp*: *inprobos* (14), *tenpestates* (33), *senper* (35), *comprehensa* (52). *nb* for *mb*: *inbribus* (34). *nm* for *mm*: *inmodestos* (14), *inmo* (29). *md* for *nd*: *tamd*em (40). *ms* for *ns*: *obtumsi* (28). *n* inserted: *consenctentur* (38).

d for *t*: *adquae* (15).

The substitution of *i* for *e*: *dibitum* (6), *dilictis* (21), *medillae* (26), *tenpestatis* (33), *iusti* (52); of *e* for *i*: *reticende* (11), *singules* (24); the improper addition and omission of final *m*: *conscientiam*

(19), conversationem (30), collatione (49); and the omission of *n* in desiderant (4) and festinant (? 9), can be extensively paralleled and need not be set down as mere lapidary's blunders; but we have not ventured to retain these spellings in the minuscule text. So also some of the many cases of *u* for *o* and *o* for *u* have a considerable justification in contemporary usage; but, as the forms of *u* and *o* rendered them liable to confusion and, as several unquestionable instances of confusion occur on our stone, we have thought it best to restore in all cases the standard spelling. *iusticiae* (6) may afford an early instance of *ci* for *ti*, but is most safely regarded as a blunder. On all these points see Seelmann, *Die Aussprache des Latein*.

The following blunders are easily explained: *u* for *o*: *nus* (4), *inprobus*, *inmodestus* (14), *exercitus* (32), *emeritus* (50), *nustra* (18), *nustræ* (26), *nustram* (27), *nustri* (39), *cunvenit* (16), *cunferatur* (18), *cummunibus* (22), *surtæ* (10), *donatibu* (48). *o* for *u*: *dio* (25), *nondinari* (37), *caosas* (40) *ot* (41), *mentiorn* (43), *putator* (53).

s for *f*: *sundatam* (6).

c for *t*: *iusticiae* (6), *coto* (41), *cenpestatei* (33), *scatui* (39). *tconferatur* (18) is due to the stone-cutter's mistaking *c* for *t* and then discovering his mistake before beginning the next letter.

c for *o*: *religic* (14). *c* for *g*: *acnoscere* (44). *c* for *e*: *emeritos* (50). *e* for *c*: *eontinentiae* (9). *g* for *c*: *ligentiam* (10).

a for *b*: *pualicum* (23), *oatumsi* (28), *pualicæ* (36). *d* for *b*: *indribus* (34), *adaritiae* (39). *i* for *d*: *detestaniam* (11). In *debaccanidi* (10), *idirigi* (45) and *idepraedatores* (51), *d* was probably mistaken for *i* and the mistake at once discovered; cf. *tconferatur* (18).

Letter doubled: *aavaritia* (7). Double letter reduced to single: *tranquill orbi statu* (3), *officis* (37), and perhaps *uertatibus* (31) and *sectorius* (50).

Other omissions: *paen* (8), *glicentis* (13), *tt* (27) for *tot*, *fluentiam* (36) for *afluentiam*, *estimonis* (47) for *estimationis*.

Letters transposed: *ahbere* (13), *superflou* (26).

The following blunders are more flagrant:

gentrum (5) for *gentium*, *dibitum* (6) for *debitis*, *ardat* (7) for *ardet*, *qui* (7) for *quæ* or *qua*, *promisionis* (18) for *provisionis*, *epe* (20) for *spe*, *ferendare* (22) for *ferendæ*, *superillou* (26) for *superfluo*, *institutorum* (37) for *institorum*, *scatii* (39) for *statui*, *NN* (40) for *MN*, *inteplegatur* (42) for *intellegatur*, *mentiorn* (43) for *mentium*, *acnosdeBe*¹

¹ The penultimate letter seems to have been first made as a *b* and then changed to a *p*, or *vice versa*.

(44) for *agnoscere*, *interdam* (48) for *interdum*, *detesdandis* (49) for *detestandis*, *censuamus* (55) for *censuimus*. Add the meaningless characters, some of which are not even letters, in lines 41 and 42, in place of *difficile sit* and *revelari*, and the meaningless leaf in line 32.

Some of these monstrosities look as if the stone-cutter knew little or no Latin.

It deserves notice that the fragments of this edict previously found in Greece, viz., at Gythion, Geronthrai, Megara, Karystos, Thebes, Lebadeia, Thespiæ and Elateia,² are all in Greek.

American School of Classical Studies
at Athens.

J. C. ROLFE,
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II. REPORT ON EXCAVATIONS AT PLATAIA IN 1889.

In December 1888, the Greek Government granted to the American School a concession to carry on excavations in Boiotia, at Plataia, Anthedon and Thisbe. Work was to begin in the latter half of February 1889. Accordingly, Professor Tarbell, Mr. Buck and Dr. Rolfe examined the sites, and decided to begin work at Anthedon and to proceed next to Thisbe.

On March 29, I set out with Professor Tarbell for Thebes and Thisbe, at which latter place Dr. Rolfe was at that time digging. From Thebes I visited the site of ancient Plataia and decided upon beginning trial excavations at once. The drawback of Plataia as a field for excavation is the great extent of the ground and the confusing number of vestiges of ancient remains. But, though this adds to the uncertainty of making definite finds, it also increases the probability of discovering some objects of interest. Moreover, I felt that our efforts could in no event be wasted; as, even if no objects of artistic or epigraphic importance should be discovered, a careful study of the site would be a great addition to topography, as it soon became evident that all previous work in this direction had been insufficient. With this in reserve, I have set as my highest aim the discovery of the ancient temple of Hera or of some other edifice of similar importance, such as the temple of Athena Areia, or the temple of Demeter. Meanwhile, through the exertions of Mr. Wesley Harper, Dr. Lamborn and Mr. H. G.

² See *CIL*, III², pp. 812-23; *Ephemeris Epigraphica*, IV, p. 180, and V, pp. 87-91; *Bull. de Corr. Hellén.*, IX (1885), pp. 222-39.